

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Shawn Maurice Brown

Docket No. 7:07-CR-22-2BO

Petition for Action on Supervised Release

COMES NOW Erik J. Graf, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Shawn Maurice Brown, who upon an earlier plea of guilty to Possession With Intent to Distribute More Than 5 Grams of Cocaine Base, 21 U.S.C. § 841(a)(1), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on February 6, 2008, to the custody of the Bureau of Prisons for a term of 87 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On March 6, 2012, the imprisonment sentence was reduced to 70 months pursuant to 18 U.S.C. § 3582(c)(2).

Shawn Maurice Brown was released from custody on March 12, 2012, at which time the term of supervised release commenced.

On July 24, 2014, the court modified Brown's conditions to include that he complete 24 hours of community service in response to his admission to using marijuana and his positive urine screen on July 15, 2014.

On June 23, 2015, the court modified Brown's conditions to include that he be confined to the Bureau of Prisons for a period of 2 days in response to his admission to using marijuana and his positive urine screen on May 28, 2015.

On August 26, 2015, the court modified Brown's conditions to include participation in a cognitive behavioral program as directed by the probation officer in response to incurring charges of Driving While License Revoked, Expired Registration, and No Liability Insurance in New Hanover County (dismissed) and his admission to using marijuana and his positive urine screen on July 23, 2015.

On March 18, 2016, the court modified Brown's conditions to include that he be confined to the Bureau of Prisons for a period of 4 days in response to his admission to using marijuana and incurring two counts of Driving While License Revoked in the North Carolina counties of Anson and Union in late 2015. Brown served 4 days in custody, and the charges were dismissed.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On December 16, 2016, Brown was charged with Driving While License Revoked Not by Impaired Revocation and Expired Registration Card or Tag (16CR708614) in Brunswick County, North Carolina. These charges remain pending.

On December 30, 2016, Brown was charged with Driving While License Revoked Not by Impaired Revocation, Possession of Marijuana Paraphernalia, and Expired Registration Card or Tag (16CR60412) in New Hanover County, North Carolina. These charges remain pending.

Brown's termination date for supervised release is March 11, 2017. As he lacks less than 7 weeks of supervision on his federal supervised release, a punitive sanction other than revocation is requested.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer until the he completes the term of supervised release on March 11, 2017. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.
2. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his/her privilege to do so is restored in accordance with law.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Erik J. Graf
Erik J. Graf
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2031
Executed On: January 30, 2017

ORDER OF THE COURT

Considered and ordered this 31 day of January, 2017, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge